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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,258	04/26/2001	Jaime F. Guerrero	83000.1000CPAC/P2868C	9917
25920	7590	03/29/2004	EXAMINER	
MARTINE & PENILLA, LLP 710 LAKEWAY DRIVE SUITE 170 SUNNYVALE, CA 94085			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2174	
DATE MAILED: 03/29/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/844,258	GUERRERO, JAIME F.
Examiner	Art Unit	
Mylinh T Tran	2174	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 26 April 2001.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-27 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-27 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

**DETAILED ACTION*****Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer et al. [US. 5,825,355] in view of Beaudet et al. [US. 5,515,487].

As to claims 1, 17 and 23, Palmer et al. discloses creating a first display area said first display area displaying a first node of said hierarchy (figure 6, left region containing 160); creating a second display area (figure 6, right region containing 44). The difference between Palmer et al. and the claim is performing the following when one of said plurality of child nodes in said second, display area is selected: updating said first display area to include said one of said plurality of child nodes; and updating said second display area to display a plurality of nodes in place of said plurality of child nodes, said plurality of nodes being the child nodes of said selected child node. Beaudet et al. shows updating said first display area to include said one of said plurality of child nodes (column 2, lines 17-50); and updating said second display area to display a plurality of nodes in place of said plurality of child nodes, said plurality of nodes being the child nodes of said selected child node (column 4, line 50 through column 5, line 3). It would have been obvious to one of ordinary skill in the art, having the teachings of Palmer et al. and Beaudet et al. before them at the time the invention was made to modify

the first and second display with hierarchical nodes as taught by Palmer et al. to include the changes nodes between first and second display of Beaudet et al., in order to save a space of the updated hierarchical tree display by contracting the nodes as taught by Palmer et al.

As to claims 2, 18 and 24, Palmer et al. also discloses said hierarchy comprising a file system (column 8, lines 12-25).

As to claims 3, 19 and 27, in view of Palmer et al., Beaudet et al. teaches performing the following when said first node is selected in said first display area: removing said one of said child nodes from said first display area (column 4, line 60 through column 5, line 25); and updating said second display area to display said plurality of child nodes (column 4, lines 12-35).

As to claims 4 and 20, Palmer et al. shows the step of placing the cursor over said one of said child nodes in said second display area (column 9, lines 15-25).

As to claims 5, 21 and 26, Beaudet et al. also shows determining whether said child node is a leaf node of said hierarchy and removing said second display area, if said child node is a leaf node (column 4, lines 50-60).

As to claims 6, 14 and 22, Palmer et al. teaches a size of said first display area being independent of a size of said second display area (column 9, lines 15-25).

As to claims 7 and 8, Palmer et al. also teaches the step of placing a marquee over said one of said child nodes of said selected child node (figure 23, 44) and said step of displaying a marquee over said one of said child nodes in said second display (figure 11, 44).

As to claims 9, Palmer et al. provides the step of moving said marquee one entry in said second display area in response to arrow key input and provides the step of selecting said one of said child nodes in response to right arrow key input (figure 11, 44, when cursor is moved down, the marquee of 44 would disappear).

As to claim 11, Palmer et al. also provides receiving character input; adding said character input to a search criteria; repositioning a cursor on said one of said plurality of child nodes in response to said character input, said one of said plurality of child nodes resembling said search criteria (figures 12-14, 215, column 58-67).

As to claims 12 and 25, Beaudet et al. demonstrates determining whether there is unused display space in said first display area (column 4, lines 14-27, collapsed nodes would give some spaces); performing the following when there is unused display space in said first display area: resizing said first display area to eliminate said unused display space; expanding said second display area to include said unused display space (column 4, lines 12-65 and column 6, line 65 through column 8).

As to claim 13, Palmer et al. also demonstrates a computer system having a processor and memory (column 2, line 65 through column 3, line 6); a first display area controlled by said process, said first display area having a plurality of entries that identify a selected path through said hierarchical information (figure 5, 160, column 8, lines 35-55), a second display area controlled by said process, said second display area having a plurality of path choices of said hierarchical information (figure 5, 44, column 8, lines 35-55).

As to claim 15, Palmer et al. teaches first display area being limited to a maximum size (column 9, lines 5-15).

As to claim 16, Palmer et al. also teaches a scrolling mechanism being activated when said first display area reaches said maximum size (column 9, lines 15-25).

***Conclusion***

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists

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a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

Art Unit 2174

*Kristine Kincaid*  
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